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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,212	09/22/2000	Patrick Callaghan	EN999068	9821
30743	7590	12/13/2005	EXAMINER	PAULA, CESAR B
WHITHAM, CURTIS & CHRISTOFFERSON, P.C. 11491 SUNSET HILLS ROAD SUITE 340 RESTON, VA 20190			ART UNIT	PAPER NUMBER
			2178	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/668,212	CALLAGHAN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	CESAR B. PAULA	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 03 October 2005.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 22-44 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 22-44 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date .

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_.

**DETAILED ACTION**

1. This action is responsive to the RCE amendment filed on 10/3/2005.

**This action is made Non-Final.**

2. In the amendment, claims 1, 3-21 have been canceled. Claims 22-44 have been added, and are pending in the case. Claims 22, 31 and 41 are independent claims.

***Drawings***

3. The drawings filed on 9/22/2000 have been approved by the Examiner.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 22, 27-29, 31, 36-38, and 41 are rejected under 35 U.S.C. 102(e) as being anticipated by Uppaluru (Pat. # 6,400,806 B1, 6/4/2002, filed on 4/5/1999).

Regarding independent claim 22, Uppaluru discloses the use of a conventional browser on a computer, which is modified with appropriate voice information extensions using HVML

(Hyper Voice Markup Language) for downloading from a web server, playing and playing web pages, such as web forms— *audiovisual form in a written markup language*—which have input headings, *such as* day, month, year information, business white pages form (company name, city, state code information), etc *displaying said form with the respective headings and respective blank areas to be updated with text*. The user can navigate or interact with the voice web pages using the mouse, and microphone—*verbal, and tactile interaction*--. Using tags, a user can also supply input, such as spoken alphabet, and digit, keyword, proper names, and free-form voice information input into HVML forms--*said form including fields with respective headings and respective blank areas to be updated with text*—, for the purpose of filling in these forms, and submitting to an agent for processing-- (col.6, lines 53-57, col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 6-67).

Moreover, Uppaluru discloses prompting for the input of information into a web page, such as a calendar form using the conventional browser. The forms displayed on the user's monitor are filled in as a result of the user input. The input originates from a mouse, microphone, etc. (col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 20-67)-- *audibly reading one of said headings and waiting for a user to audibly respond with corresponding text for the blank area associated with said one heading, and in response to said user audibly responding with said corresponding text, said browser updating the written markup language for said form to include said corresponding text for said one blank area and displaying on said client workstation an updated state of the form with said one heading and with said corresponding text typed into said blank area associated with said one heading*

Further, Uppaluru teaches the inputting of a company's partial information, such as company name, city, state code information, into the voice web query forms, and retrieving information from a database over the Internet, such as company's complete information using response pages, which are presented as a result of the partial submission of information (col. 10, lines 34-col.11, line 14, col.12, lines 11-67). In other words, once the form is filled in it is submitted to the server and the complete information is retrieved and sent within a presentation page *subsequently, in response to said user speaking a command to said browser to send the updated written markup language for the updated form to said application in said server, said client workstation sending the updated written markup language for said updated form to said application in said server for processing.*

Regarding claim 27, which depends on claim 22, Uppaluru discloses a voice form in a voice browser —*computer programming*— prompting for the input of information into a web page form (col. 6, lines 1-52, col.10, lines 34-col.11, line 14).

Regarding claim 28, which depends on claim 22, Uppaluru discloses the entering of a “SKIP” selection for skipping a form value within a voice form. The user fills in various fields in the form being displayed to the user (col.25, lines 61-67, col.8, lines 63-67, col.10, lines 34-col.11, line 14) —*said browser responding to a spoken command by said user to skip entry of text into said blank area associated with said one heading and advance to a next one of said fields, said user speaking next text for a blank area of said next one of said fields, and in response to said user speaking said next text for said blank area of said next one of said fields,*

*said browser updating the written markup language for said form to include said next text for said blank area for said next one of said fields and displaying an updated state of the form with said next text for said next one of said fields--.*

Regarding claim 29, which depends on claim 22, Uppaluru teaches the accessing of the voice web pages over the Internet (col. 6, lines 2-52).

Claims 31, and 36-38 are directed towards a computer program for performing the steps found in claims 22, and 27-29 respectively, and therefore are similarly rejected.

Claim 41 is directed towards a client for performing the steps found in claim 22, and therefore is similarly rejected.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 30, 39, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru.

Regarding claim 30, which depends on claim 22, Uppaluru discloses a web browser voice output —*audio queue*— for prompting, and playing voice strings in the order they are found in a web page (one right after the other). The “PAUSE TIMEOUT” attribute for pausing indefinitely (if a value is 0) for a user until an input is made— *said web browser audibly reading another of said headings, and waiting a predetermined time for a user to audibly respond with corresponding text for the blank area associated with said other heading* (col.10, lines 34-67, col.23, lines 39-67. Uppaluru fails to explicitly teach *and in response to lapse of said predetermined time, reminding said user to audibly respond with corresponding text for the blank area associated with said other heading*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to prompt the user again for input, because Uppaluru teaches above termination of input standby if the time expires, so when an input is mandatory for the field, this combination would provide the benefit of obtaining the mandatory input, and avoiding error triggered by not having all the necessary input.

Moreover, Uppaluru discloses the input of information into the voice forms using a keyword *keyboard entry of the text for a blank area* (col.8, lines 2-67). Uppaluru fails to explicitly teach *instead of audibly responding with corresponding text for the blank area associated with said other heading, said user audibly responding with a spoken command for said browser to accept keyboard entry of the text for the blank area associated with said other heading, and based on said spoken command for said browser to accept said keyboard entry, said browser accepting subsequent keyboard of the text for said blank area associated with said other heading*. However, it would have been obvious to a person of ordinary skill in the art at the

time of the invention to respond with a keyword from a keyboard entry, because this would provide the benefit to input a piece of text quicker than using the voice response.

Regarding claim 39, which depends on claim 31, Uppaluru discloses the entering of a “SKIP”—*command*-- selection for skipping a form value within a voice form to another field (col.25, lines 61-67, col.8, lines 63-67).

Moreover, Uppaluru discloses the entering of a “REVIEW” —*command*-- selection for reviewing form values within a voice form (col.25, lines 61-67). Uppaluru fails to explicitly teach *a command that directs the browser to review the form to ensure that all fields contain information*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to have reviewed the form to ensure information was present in all fields, because Uppaluru teaches above the reviewing of all the values in a voice form, which provides the benefit of supplying appropriate information in the forms so as to retrieve information using the form without incurring an error, which would also save time needed in refilling the wrong values in the form.

Further, Uppaluru discloses the entering of a “reset” —*command*-- selection for reverting to the original default values of the form—*deleting text currently within a field* (col.25, lines 46-67).

Furthermore, Uppaluru discloses the entering of a “reload” —*command*-- selection for reloading a form (col.25, lines 46-67). Uppaluru fails to explicitly teach *a command that directs the browser to clear the form and reprocess it*. However, it would have been obvious to a person of ordinary skill in the art at the time of the invention to reprocess the reloaded form, because

Uppaluru teaches above the submitting of information to a server, which provides the benefit of supplying a form in accordance to a user's input, so as to provide the correct information to the server.

Claim 40 is directed towards a computer program for performing the steps found in claim 30, and therefore is similarly rejected.

8. Claims 23-26, 32-35, and 42-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru, in view of Dipaolo et al, hereinafter Dipaolo (USPat.# 5,367,619, 11/22/1994).

Regarding claim 23, which depends on claim 22, Uppaluru discloses prompting for the input of information into a web page, such as a calendar form using the conventional browser. The forms displayed on the user's monitor are filled in as a result of the user input. The input originates from a mouse, microphone, etc. (col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 20-67)— *in response to said user speaking said corresponding text, said browser performs said steps of updating the written markup language for said form and displaying an updated state of the form with said one heading and with said corresponding text typed in said blank area.* Uppaluru fails to explicitly teach *while said browser audibly reads said one heading, said browser automatically displaying a plurality of valid alternatives for said blank area, one of said valid alternatives being said corresponding text.* However, Dipaolo discloses when a user moves to a certain field, presenting a window, which contains valid values

for that specific field (col.6, lines 20-67, fig.1). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Uppaluru, and Dipaolo, because Dipaolo teaches the benefit of eliminating the need to remember suitable entries for a field, thus saving time and reducing errors(col.1, lines 26-37).

Regarding claim 24, which depends on claim 23, Uppaluru discloses prompting for the input of information into a web page, such as a calendar form using the conventional browser. The forms displayed on the user's monitor are filled in as a result of the user input. The input originates from a mouse, microphone, etc. (col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 20-67). Uppaluru fails to explicitly teach *said browser is programmed to not perform the steps of updating the written markup language for said form or displaying an updated state of the form with said one heading and with said corresponding text typed in said blank area associated with said one heading until after said browser automatically displays said plurality of valid alternatives for said blank area including said corresponding text, and said user speaks said corresponding text*. However, Dipaolo discloses when a user moves to a certain field, presenting a window, which contains valid values for that specific field, and entering a value from the list of valid values into the form field (col.6, lines 20-67, fig.1). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Uppaluru, and Dipaolo, because Dipaolo teaches the benefit of eliminating the need to remember suitable entries for a field, thus saving time and reducing errors(col.1, lines 26-37).

Regarding claim 25, which depends on claim 23, Uppaluru discloses prompting for the input of information into a web page, such as a calendar form using the conventional browser. The forms displayed on the user's monitor are filled in as a result of the user input. The input originates from a mouse, microphone, etc. -- *said browser performs the steps of updating the written markup language for said form and displaying an updated state of the form with said one heading and with said corresponding text typed in said blank area associated with said one heading and subsequently, said browser audibly reading another of said headings and waiting for a user to speak another text for the blank area associated with said other heading, and in response to said user speaking said other text, said browser updating the written markup language for said form to include said other text for said blank area associated with said other heading and displaying an updated state of the form with said other heading and with said other text typed in said blank area associated with said other heading* (col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 20-67). Uppaluru fails to explicitly teach, *said browser ceases to display said plurality of valid alternatives for said blank area*. However, Dipaolo discloses when a user moves to a certain field, presenting a window, which contains valid values for that specific field, and entering a value from the list of valid values into the form field. There is also an automatic entry of values, whenever there is only a single value associated with a field (thus no need to present a window of values) (col.6, lines 20-67, fig.1). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Uppaluru, and Dipaolo, because Dipaolo teaches the benefit of eliminating the need to remember suitable entries for a field, thus saving time and reducing errors (col.1, lines 26-37).

Regarding claim 26, which depends on claim 22, Uppaluru discloses prompting for the input of information into a web page, such as a calendar form using the conventional browser. The forms displayed on the user's monitor are filled in as a result of the user input. The input originates from a mouse, microphone, etc. -- (col.8, line 2-col.9, line 6, col.10, line 34-col.11, line 14, col.12, lines 20-67). Uppaluru fails to explicitly teach, *graphically indicating that said blank area associated with said one heading, and not any other blank area associated with any other heading, is currently waiting for said corresponding text from said user, and will include said text after spoken by said user.*.. However, Dipaolo discloses when a user moves to a certain field, presenting a window, which contains valid values for that specific field, and entering a value from the list of valid values into the form field. (col.6, lines 20-67, fig.1). It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine Uppaluru, and Dipaolo, because Dipaolo teaches the benefit of eliminating the need to remember suitable entries for a field, thus saving time and reducing errors (col.1, lines 26-37).

Claims 32-35 are directed towards a computer program for performing the steps found in claims 23-26 respectively, and therefore are similarly rejected.

Claims 42-44 are directed towards a client for performing the steps found in claims 23-25 respectively, and therefore are similarly rejected.

***Response to Arguments***

9. Applicant's arguments with respect to claims 22-44 have been considered but are moot in view of the new ground(s) of rejection. The Applicants indicate that the newly amended claims overcome the prior art of record (pages 9-10). The Applicants are directed towards the newly added rejections in light of the newly introduced amendment.

***Conclusion***

I. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://portal.uspto.gov/external/portal/pair>. Should you have any questions about access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866 217-9197 (toll-free).

Any response to this Action should be mailed to:  
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Or faxed to:

- **(703) 703-872-9306, {(571)-273-8300 as of July 15, 2005} (for all Formal communications intended for entry)**

  
CESAR PAULA  
PRIMARY EXAMINER  
12/10/05